

ADJOURNMENT

On motion of Senator Snelson the Senate at 12:27 o'clock p.m. adjourned until 11:30 o'clock a.m. Monday, March 5, 1979.

APPENDIX

Sent to Governor

(March 1, 1979)

S.C.R. 28

S.B. 216

S.B. 317

Sent to Comptroller

(March 1, 1979)

S.B. 140

THIRTIETH DAY

(Monday, March 5, 1979)

The Senate met at 11:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Absent-excused: Mauzy, Truan.

A quorum was announced present.

Chaplain Gerald Mann, University Baptist Church, Austin, offered the invocation as follows:

Our Father, remind us today that we are just as capable of giving others a little bit of Heaven as we are of giving them a whole lot of Hell. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 1, 1979, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Truan was granted leave of absence for today on account of illness on motion of Senator Doggett.

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator Clower.

BILL SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

S.B. 96

HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

H.B. 765, To Committee on Intergovernmental Relations.

H.B. 980, To Committee on Education.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 747 by Howard Economic Development
Relating to the establishment, certification, organization and regulation of health maintenance organizations; amending Sections 2, 4(b), 5(b), 9(a)(4), 9(c), 10(b), 12(a)(2), 15, 19(b), 20(a)(1), 22, 26, 30, 32, 33 of and adding Section 35 to the Texas Health Maintenance Organization Act (Chapter) 20A, Vernon's Texas Insurance Code).

S.B. 749 by Kothmann Finance
Relating to the exemption of certain motor vehicles operated by or used for the transportation of orthopedically handicapped persons.

S.B. 750 by Mauzy Jurisprudence
Relating to the right to representation by counsel in criminal proceedings, compensation for appointed counsel, and reimbursement to the counties by defendants and by the state; providing fees to the state to be paid by nonindigent defendants.

S.B. 751 by Jones of Taylor Economic Development
Relating to the eligibility of surplus lines insurers; amending Article 1.14-2, Section 8(d) of the Insurance Code.

S.B. 752 by Jones of Taylor Natural Resources
Relating to the control and regulation of exploration for and surface mining of coal and the reclamation of the mined area; providing penalties.

S.C.R. 35 by Doggett Administration
Requesting Governor to appoint commission to carry out goals and objectives of United States National Commission on the International Year of the Child under the leadership of Mrs. Jean Childs Young.

MESSAGE FROM THE HOUSE

House Chamber
March 5, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT
THE HOUSE HAS PASSED THE FOLLOWING:

H.C.R. 11 adopting the joint rules of the 66th Legislature

H.B. 1059 relating to lease of public school and Gulf land

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the
Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
March 5, 1979

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the
following appointments:

TO BE A MEMBER OF THE BOARD OF REGENTS OF TEXAS EASTERN
UNIVERSITY:

For a six-year term to expire January 31, 1985:

THE HONORABLE BOB NALL of Tyler, Smith County, is replacing Mr.
Jack Morgan of Kaufman, Kaufman County, whose term expired.

GENE WESLEY HIGHTOWER, D.D.S. of Van, Van Zandt County, is
replacing Robert G. Schleier of Kilgore, Gregg County, whose term expired.

MR. OTIS DUNAGAN of Tyler, Smith County, is replacing Mr. Neal E.
Velvin of Athens, Henderson County, whose term expired.

TO BE A MEMBER OF THE BANDERA COUNTY RIVER AUTHORITY:

For a six-year term to expire January 31, 1985:

MR. J. B. EDWARDS of Pipecreck, Bandera County, is being reappointed.

MR. M. R. SANDIDGE of Tarpley, Bandera County, is being reappointed.

TO BE A MEMBER OF THE TEXAS DEEPWATER PORT AUTHORITY:

For a six-year term to expire January 31, 1985:

MR. CHARLES A. KROLL of Lake Jackson, Brazoria County, is being reappointed.

TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE
GUADALUPE-BLANCO RIVER AUTHORITY:

For a six-year term to expire February 1, 1985:

MR. CARLISLE MAXWELL, JR. of Victoria, Victoria County, is replacing Mr. Joseph Patrick Kelly of Victoria, Victoria County, whose term expired.

MR. O. T. MOORE, JR. of Lockhart, Caldwell County, is being reappointed.

TO BE A MEMBER OF THE TEXAS BOARD OF PRIVATE
INVESTIGATORS AND PRIVATE SECURITY AGENCIES:

For a six-year term to expire January 31, 1985:

MR. JOE B. SIMMONS, JR. of Lubbock, Lubbock County, is replacing Mr. G. William (Bill) Rider of Galveston, Galveston County, whose term expired.

MR. DALE O. SIMPSON of Dallas, Dallas County, is replacing Mr. Herbert Joe Kelpen, Sr. of Cypress, Harris County, whose term expired.

TO BE A MEMBER OF THE TEXAS OPTOMETRY BOARD:

For a six-year term to expire January 31, 1985:

DR. PAUL T. CURRY of El Paso, El Paso County, is replacing Dr. E. R. Friedman of Dallas, Dallas County, whose term expired.

DR. WILBUR C. TREADWELL, JR. of Austin, Travis County, is replacing Dr. Hugh A. Stickel, Jr. of Amarillo, Potter County, whose term expired.

TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NUECES
RIVER AUTHORITY:

For a six-year term to expire February 1, 1985:

MR. JAMES L. DONNELL of Fowlerton, La Salle County, is replacing Mr. Ray M. Keck, Jr. of Laredo, Webb County, whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF HEALTH:

For a six-year term to expire February 1, 1985:

LAURANCE N. NICKEY, M.D. of El Paso, El Paso County, is replacing Dr. Ray E. Santos of Lubbock, Lubbock County, whose term expired. Dr. Nickey will be representing physicians on the Board.

TO BE A MEMBER OF THE TEXAS BOARD OF LICENSURE FOR
NURSING HOME ADMINISTRATORS:

For a six-year term to expire January 31, 1985:

MR. CLINT L. HINES of Newton, Newton County, is replacing Mr. Carroll C. Curry of Itasca, Hill County, whose term expired.

TO BE A BRANCH PILOT FOR PORT ARANSAS BAR, CORPUS CHRISTI BAY AND TRIBUTARIES:

For a four-year term to expire January 21, 1983:

MR. SAMMY MURPHY of Aransas Pass, Aransas County, has completed his training as a deputy pilot and now qualifies for the position of branch pilot.

TO BE A MEMBER OF THE BOARD OF REGENTS OF EAST TEXAS STATE UNIVERSITY:

For a six-year term to expire February 15, 1985:

MR. WILLIAM GARLAND BUTTON of Dallas, Dallas County, is being reappointed.

DR. JAMES HARLAN GRANBERRY of Lubbock, Lubbock County, is replacing Mr. Cam F. Dowell, Jr. of Dallas, Dallas County, whose term expired.

Respectfully submitted,

/s/W. P. Clements, Jr.
Governor of Texas

PRESENTATION OF GUEST

The President presented Mrs. Jean Childs Young, representing the United States National Commission on the International Year of the Child.

Mrs. Young made brief remarks to the Senate.

COMMITTEE SUBSTITUTE SENATE BILL 417 ON SECOND READING

The President laid before the Senate on its passage to engrossment: (The bill having been read second time and set as Special Order on Thursday, March 1, 1979.)

C.S.B. 417, Relating to the antitrust immunity of motor carriers, motor bus companies and railroads and their associations: confirming authority in the Railroad Commission of Texas to require Commission approval of agreements between carriers relating to joint consideration and petitions proposing establishment of just and reasonable rates, charges and classifications; amending Section 4(a), Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 911a, Texas Revised Civil Statutes Annotated, 1964); amending Section 4(a), Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Texas Revised Civil Statutes Annotated, 1964); amending Section 23, Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Texas Revised Civil Statutes Annotated, 1964); amending Article 6445, Acts 1891, as amended (Texas Revised Civil Statutes Annotated, 1925); providing a savings clause and declaring an emergency.

Question - Shall the bill be passed to engrossment?

The bill was passed to engrossment by the following vote: Yeas 26, Nays 3.

Yeas: Andujar, Blake, Braecklein, Brooks, Creighton, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Short, Snelson, Traeger, Vale, Williams.

Nays: Clower, Doggett, Schwartz.

Absent-excused: Mauzy, Truan.

**COMMITTEE SUBSTITUTE SENATE BILL 417
ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 417** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3. (Same as previous roll call)

The bill was read third time and was passed by the following vote: Yeas 26, Nays 3. (Same as previous roll call)

SENATE RULE 103 SUSPENDED

On motion of Senator McKnight and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Nominations might consider nominations to the Board of Regents for East Texas State University and Board of Regents for Texas Eastern University tomorrow morning.

SENATE RULE 103 SUSPENDED

On motion of Senator Jones of Taylor and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Finance might hear testimony from the Southern Interstate Nuclear Board tomorrow morning.

WELCOME RESOLUTIONS

S.R. 177 - By Jones of Taylor: Extending welcome to Ryan Welsch.

S.R. 179 - By Jones of Harris: Extending welcome to students from Park Place Elementary School, Houston.

ADJOURNMENT

On motion of Senator Moore the Senate at 12:17 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.